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100TH CONGRESS
2d Session

SENATE

REPORT
100-471

AMENDING SENATE RESOLUTION 28 (99TH CONGRESS), TO PROVIDE FOR THE TRANSFER OF ARCHIVAL QUALITY VIDEO RECORDINGS OF SENATE PROCEEDINGS TO THE LIBRARIAN OF CONGRESS AND THE ARCHIVIST OF THE UNITED STATES AND TO CLARIFY PROCEDURES FOR PROVIDING COPIES TO SENATORS

AUGUST 19, 1988.—Ordered to be printed

Mr. FORD, from the Committee on Rules and Administration, submitted the following

REPORT

[To accompany S. Res. 459]

The Committee on Rules and Administration, having considered Senate Resolution 459, an original resolution to amend Senate Resolution 28 (99th Congress), relating to television and radio coverage of the Senate, to provide for the transfer of archival quality video recordings of Senate proceedings to the Librarian of Congress and the Archivist of the United States and to clarify procedures for providing copies to Senators, reports the measure favorably and recommends that the resolution do pass.

PURPOSE OF THE RESOLUTION

The purpose of the resolution is to provide authority for the transfer of recordings of the proceedings in the Senate Chamber to the Librarian of Congress and the Archivist of the United States so that those recordings may be suitably stored and made available to the general public. In order to facilitate the arrangement, the resolution would also reduce from 90 calendar days to 30 session days the period during which the Sergeant at Arms of the Senate is to hold such recordings at the Senate Recording Studio for the use of Members.

BACKGROUND

On February 27, 1986, (99th Congress, 2d Session) the Senate passed S. Res. 28, authorizing television and radio broadcast coverage of Senate floor proceedings. The resolution left to later Senate authorization the entire matter of the accessibility and use of video

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and audio recordings outside the Senate. On June 7, 1988 the Senate adopted S. Res. 431 pertaining to the permitted uses of such recordings. It permitted any use other than political campaign use. That resolution did not, however, authorize the transfer of the recordings to depositories to make them accessible to the public.

With regard to public accessibility of recordings, S. Res. 28 provides, subject to later authorization, that the recordings are to be delivered to the Secretary of the Senate who is to transfer them to the Librarian of Congress and to the Archivist of the United States. This resolution provides that authorization.

S. Res. 28 also addresses—although ambiguously—the payment of a fee by the Archives and the Library of Congress to cover the cost of production of the recordings. The House of Representatives has entered into agreements with both depositories to provide recordings without charge. This resolution does not require the payment of a fee to the Senate for recordings by either depository.

S. Res. 28 provides that the recordings are to be retained by the Senate Recording Studio for a period of 90 days. Since, by statute, the Senate Recording Studio is available only to the Vice President, Members and committees of the Senate, the recordings would not be available to the public during this period. The experience of the Recording Studio since this program began indicates that little use is made of the recordings by Members after 30 days following the date of recorded proceeding. Therefore, this resolution would reduce the holding period to 30 session days, which should give Members sufficient opportunity to make use of the recordings before they are transferred to the depositories and made accessible to the public. Even after the recordings are transferred to the Archives and Library of Congress, they will still be readily accessible to Members.

Pursuant to S. Res. 28, the committee has also adopted regulations to implement the provisions of S. Res 28, as amended by S. Res. 431 and this resolution. The regulations will become effective upon adoption of this resolution. Following adoption of this resolution, an agreement will be entered into between the Librarian of Congress, the Archivist of the United States and the Secretary of the Senate, subject to the approval of the Committee on Rules and Administration, which will further implement the resolutions and the regulations.

COMMITTEE ACTION

On August 3, 1988 the committee met to consider S. Res. 459 and approved and ordered reported the accompanying resolution.

COMPARISON OF SECTION 4(C) OF S. RES. 28 AND S. RES. 459

S. Res. 28

SEC. 4 [(c) The Sergeant at Arms and Doorkeeper of the Senate shall (1) employ such staff as may be necessary, working in conjunction with the Senate Recording and Photographic Studios, to operate and maintain all broadcast audio and color video equipment installed pursuant to this resolution, (2) make audio and video tape recordings, and copies thereof as requested by the Secre-

tary under clause (4) of this subsection, of Senate proceedings, (3) retain for ninety days after the day any Senate proceedings took place, such recordings thereof, and as soon thereafter as possible, transmit to the Secretary of the Senate copies of such recordings: *Provided,* That the Sergeant at Arms and Doorkeeper of the Senate, in carrying out the duties specified in clauses (1) and (2) of this subsection, shall comply with appropriate Senate procurement and other regulations, and (4) if authorized by the Senate at a later date the Secretary of the Senate shall (A) obtain from the Sergeant at Arms copies of audio and video tape recordings of Senate proceedings and make such copies available, upon payment to her of a fee fixed therefor by the Committee on Rules and Administration, and (B) receive from the Sergeant at arms such recordings thereof, and as soon thereafter as possible, transmit to the Librarian of Congress and to the Archivist of the United States archive quality copies of such recordings.]

S. Res. 459

(c)(1) The Sergeant at Arms and Doorkeeper of the Senate shall—

(A) employ such staff as may be necessary, working in conjunction with the Senate Recording and Photographic Studios, to operate and maintain all broadcast audio and color video equipment installed pursuant to this resolution;

(B) make audio and video tape recordings, and copies thereof as requested by the Secretary under paragraph (2) of Senate proceedings; and

(C) retain for 30 session-days after the day any Senate proceedings took place, such recordings thereof, and as soon thereafter as possible, transmit to the Secretary of the Senate copies of such recordings.

The Sergeant at Arms and Doorkeeper of the Senate, in carrying out the duties specified in subparagraphs (A) and (B), shall comply with appropriate Senate procurement and other regulations.

(2) The Secretary of the Senate is authorized to obtain from the Sergeant at Arms archival quality video recordings of Senate proceedings and, as soon thereafter as possible, transmit such recordings to the Librarian of Congress and to the Archivist of the United States.

COST ESTIMATE

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate, the committee does not consider that enactment of Senate Resolution 459 would entail any cost to the Government.

REGULATORY IMPACT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the committee does not consider that enactment of Senate Resolution 459 would have any significant regulatory impact.

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